REMARKS

This is in response to the Office Action mailed on April 10, 2008 for the above-referenced application. Applicant has amended Claims 30 and 37, and added new Claim 38. However, no new matter has been added by these amendments. Thus, Claims 28-38 remain pending. Applicant respectfully requests reconsideration of the pending claims in view of the remarks and amendments contained herein.

Terminal Disclaimer

The Examiner stated that this application requires a terminal disclaimer with US patent No. 6,292,662. Attached herewith is a terminal disclaimer, as requested by the Examiner.

IDS Resubmitted

The Examiner asked the Applicant to re-send the IDS so that it can be re-signed, since the original was not in the PTO file. Accordingly, Applicant is concurrently resubmitting an IDS for signature by the Examiner.

Discussion of Rejection under 35 USC § 103

Independent Claim 28 -- Discussion of rejection

The Examiner rejected Claims 28-37 as allegedly unpatentable over Kotzin (US 5,442,681) in view of Roach (US 5,845,211) and Sammarco (US 5,551,073) or Dahlin (US 5,140,627). According to the Examiner, Kotzin discloses "determining whether the second subscriber unit is part of the first wireless telephone system" and "converting the vocoded data into tones and routing the tones through a wire-based telephone system to the second subscriber unit if the second subscriber unit is part of a second wireless telephone system." Applicant respectfully disagrees.

M.P.E.P. § 2143.03 recites that "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Claim 28 recites a method for processing a telephone call from a first subscriber unit that is part of a first wireless telephone system, the method comprising "determining whether the

second subscriber unit is part of the first wireless telephone system." As discussed in our specification, the "system determines the type of a subscriber unit and associated telephone system to which the call is directed." Our Specification, Paragraph [1015]. For example, the call could be directed to a wire based subscriber unit (e.g., Our Specification, Figure 1, 106A), a subscriber in the same wireless system (e.g., Our Specification, Figure 1, 100B), or a subscriber in a different wireless system (e.g., Our Specification, Figure 1, 100C). The cited portions of Kotzin do not consider or determine which system (e.g., landline, same wireless system as originating subscriber, different wireless system than originating subscriber) a second (receiving) subscriber is using.

The Examiner cited to Kotzin's signal routing (Kotzin, Figure 2) disclosure and stated that "figure 2 shows that wireless/wired users can call each other and inherently requires any/all routing and signal translation." However, the cited portions of Kotzin do not disclose, teach, or suggest "determining whether the second subscriber unit is part of the first wireless telephone system."

In addition, after the determination above, Claim 28 recites "converting the vocoded data into tones and routing the tones through a wire-based telephone system to the second subscriber unit if the second subscriber unit is part of a second wireless telephone system." The Examiner admits that Kotzin is silent on converting tones. However, the cited portions of Kotzin do not convert vocoded data at all based on whether the receiving subscriber is in the same or a different wireless system.

The Examiner cited Kotzin's PSTN network (Kotzin, Col. 2, ln. 58 – Col. 3, ln 3) as disclosing converting and routing a signal if the second subscriber is in a different wireless telephone system, and the Examiner stated that "conversion to tones" is known in the art while citing Roach, Sammarco, and Dahlin. However, the cited references do not teach "converting the vocoded data into tones and routing the tones through a wire-based telephone system to the second subscriber unit if the second subscriber unit is part of a second wireless telephone system." As explained in the specification, the process recited in Claim 28 provides a way to avoid double vocoding of signals received from the first subscriber. Because this element is missing from each of the cited references, nothing in the disclosures of Kotzin, Roach,

Sammarco or Dahlin, either alone or in combination would make the claimed process obvious to one of ordinary skill in the art.

For at least all of the reasons discussed above, the cited references do not directly or indirectly teach each and every element of Claim 28. Thus, it cannot render this claim unpatentable. Accordingly, Applicant respectfully requests withdrawal of this rejection and allowance of Claim 28.

Independent Claim 31, recites "to configure the signal processing circuitry to convert the vocoded data into tones and configure the signal routing circuitry to deliver the tones to the receiving subscriber unit through a wire-based system if the receiving subscriber unit is part of a second wireless telephone system" which is also not taught by Kotzin, Roach, Sammarco or Dahlin, either alone or in combination, for all of the reasons described above. Accordingly, it cannot render this claim unpatentable. Accordingly, Applicant respectfully requests withdrawal of this rejection and allowance of Claim 31.

Independent Claim 35 recites "means for determining whether the second subscriber unit is part of the first wireless telephone system" and "means for converting the vocoded data into tones and routing the tones through a wire-based telephone system to the second subscriber unit if the second subscriber unit is part of a second wireless telephone system," which is also not taught by Kotzin, Roach, Sammarco or Dahlin, either alone or in combination, for all of the reasons described above. Accordingly, Applicant respectfully requests withdrawal of this rejection and allowance of Claim 35.

New independent Claim 38, recites "determining whether the second subscriber unit is part of the first wireless telephone system" and "converting the vocoded data into tones and routing the tones through a wire-based telephone system to the second subscriber unit if the second subscriber unit is part of a second wireless telephone system" which is also not taught by Kotzin, Roach, Sammarco or Dahlin, either alone or in combination, for all of the reasons described above. Accordingly, it cannot render this claim unpatentable. Accordingly, Applicant respectfully requests withdrawal of this rejection and allowance of Claim 38.

Dependent Claims

Applicant does not necessarily agree with the characterization and assessments of the dependent claims made by the Examiner, and Applicant respectfully believes that each claim is patentable on its own merits. The dependent claims are dependent either directly or indirectly on one of the above-discussed independent claims. Applicant respectfully submits that pursuant to 35 U.S.C. § 112, ¶4, the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicant respectfully requests the withdrawal of all claim rejections and prompt allowance of the claims.

CONCLUSION

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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